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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 PAMELA KIRBY,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Deputy  
14 Commissioner of Social Security for  
Operations,

15 Defendant.

CASE NO. 3:18-cv-5595-RSM JRC

ORDER ADOPTING REPORT  
AND RECOMMENDATION

16 The Court, having reviewed the Report and Recommendation of Judge J. Richard  
17 Creatura, United States Magistrate Judge, does hereby find and ORDER:

- 18 (1) The Court adopts the Report and Recommendation.
- 19 (2) Plaintiff's request for \$604.16 in attorney fees under the Equal Access to Justice  
20 Act ("EAJA") is granted in full.
- 21 (3) The Deputy Commissioner shall contact the Department of Treasury after the  
22 Order for EAJA fees is entered to determine if the EAJA fees are subject to any  
23 offset. If it is determined that plaintiff's EAJA fees are not subject to any offset  
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1 allowed pursuant to the Department of the Treasury's Offset Program, then the  
2 check for EAJA fees shall be made payable to Amy Gilbrough, based on  
3 plaintiff's assignment of these amounts to plaintiff's attorney (*see* Declaration of  
4 Pamela Kirby, Dkt. 24-4). If there is an offset, the remainder shall be made  
5 payable to plaintiff, based on the practice of the Department of the Treasury (*see*,  
6 *e.g.*, Case No. 2:15-cv-122, Dkt. 22, at 4). Any check for EAJA fees shall be  
7 mailed to plaintiff's counsel, Amy Gilbrough, at 1904 Third Ave., Suite 1030,  
8 Seattle, Washington 98101.

9 (4) The Clerk is directed to send copies of this Order to counsel of record.

10 Dated this 7 day of May, 2019.

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13 RICARDO S. MARTINEZ  
14 CHIEF UNITED STATES DISTRICT JUDGE  
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